

**UNITED STATES DISTRICT COURT
DISTRICT COURT OF NORTH DAKOTA
FARGO DIVISION**

CHRIS ELLIOTT on Behalf of Himself	§	
and on Behalf of All Others Similarly	§	
Situated,	§	
	§	
Plaintiff,	§	
	§	
V.	§	CIVIL ACTION NO. 3:13-cv-00079-RRE-
	§	KKK
	§	
SCHLUMBERGER TECHNOLOGY	§	JURY TRIAL DEMANDED
CORPORATION and	§	
SCHLUMBERGER LIMITED	§	
(SCHLUMBERGER N.V.),	§	
	§	
Defendants.	§	

**MOTION FOR HEARING ON
PLAINTIFFS' MOTION FOR CONDITIONAL CLASS CERTIFICATION**

Plaintiffs, on behalf of themselves and all other “similarly situated” employees file this Motion for Hearing on Plaintiffs’ Motion for Conditional Class Certification.

I.

This case concerns a wage dispute under the Fair Labor Standards Act. Plaintiff Chris Elliott filed his Original Complaint on September 23, 2013. (Doc. 1). Contemporaneous with the filing of his Complaint, Plaintiff filed the consent forms to join this lawsuit, as required by 29 U.S.C. § 216(b), of three additional Plaintiffs - Genta, Largent, and Piazza. (Doc. 3). Later, on December 16, 2013, Plaintiff Hunter filed his consent form to join this lawsuit. (Doc. 9). Since that time, additional Plaintiffs have joined this case. (*See* Docs. 37, 38, 62, and 63). There are currently 12 Plaintiffs in this case.

On June 16, 2014, Plaintiffs filed their Motion for Conditional Class Certification under the Fair Labor Standards Act. (*See* Doc. 43.) This Motion has been fully briefed by the Parties and is ready for a determination by the Court.

Given that the scope of discovery, including the number of depositions, document production, and expert depositions that will be needed in this case will largely depend on a ruling from the Court regarding Conditional Certification, Magistrate Judge Klein granted the Parties' Joint Motion to Modify the Scheduling Order. (Doc. 69). Magistrate Judge Klein extended the discovery period as well as the trial setting for this case to allow the Parties receive a ruling from the Court on Conditional Class Certification and to complete all necessary discovery. (*See id*; *see also* Docs. 70 and 71.)

Magistrate Judge Klein also instructed the Parties to file a motion for hearing with the District Court regarding Plaintiffs' Motion for Conditional Class Certification. (*Id.*)

II.

Now the Plaintiffs respectfully request that the Court set Plaintiffs' Motion for Conditional Class Certification for hearing. If the Court requests, Plaintiffs' Counsel will provide oral arguments to the Court and any further information that the Court requests.

III.

The Plaintiffs respectfully request that the Court grant this Motion for Hearing regarding the Plaintiffs' Motion for Conditional Class Certification under the FLSA.

Respectfully submitted, this 9th day of October 2014.

KENNEDY HODGES, L.L.P.

By: /s/ Don J. Foty

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CERTIFICATE OF SERVICE

I certify that on October 9, 2014, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record:

/s/ Don J. Foty

Don J. Foty

CERTIFICATE OF CONFERENCE

This is to certify that counsel for Plaintiffs conferred with counsel for Defendants. It is unclear if Defendants are opposed to this motion.

/s/ Don J. Foty

Don J. Foty